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Carter favors minimizing penalties for leaking data

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Washington—President Carter said yesterday his inclination is "to minimize the use of any criminal penalties" for disclosure of classified information and to rely instead on limiting the number of people who have access to it.

Mr. Carter made the comment at a nationally televised news conference several hours before he was driven to the tightly guarded headquarters of the Central Intelligence Agency in nearby Langley, Va., for the swearing-in of its new director, Adm. Stansfield Turner.

Admiral Turner, a classmate of Mr. Carter at the U.S. Naval Academy in Annapolis, had said during his Senate confirmation hearings he would "certainly be very amenable" to developing criminal legislation to halt security leaks.

However, at a breakfast meeting with reporters yesterday, he moved to bring his own position into line with that of the President, by declaring "we really don't know what kind of law to use" in guaranteeing secrecy.

"The objective is simply to give us an atmosphere in which we can hold secret what is secret," he said.

Mr. Carter has spoken out several times against the dangers of release of classified material and has urged a sharp reduction in the number of U.S. officials and congressmen who have access to it.

"My own hope," he told his news conference, "would be that we could prevent the disclosure of intelligence or information that might be damaging to our national security, rather than trying to control that problem by the imposition of legal or criminal penalties."

At Central Intelligence Agency headquarters, where he spoke to several hundred employees after Admiral Turner was sworn in by Supreme Court Justice Byron R. White, the President once more warned against concealment of mistakes.

He said that the CIA, though "perhaps

damaged by revelations of past mistakes" faces the "most difficult conflict between openness and frankness . . . and the mandatory requirements for confidentiality in the collection of crucial intelligence information."

He pledged to do his utmost to assure "that every action of the intelligence community in the future will be legal and proper," and said that, when mistakes are made, "I want to know about it immediately."

"Concealment of mistakes and subsequent revelation will be a devastatingly serious blow" to the nation's intelligence operations, he added.

The President said "his [Admiral Turner's] own integrity is the surest guarantee that no future abuses will embarrass us," and said that the admiral, who wore civilian clothes at the ceremony, "will be my closest possible associate in the future."

The ceremony was attended by three past CIA directors, George Bush, James R. Schlesinger and Richard M. Helms. Mr. Helms is the subject of a grand jury investigation looking into whether he lied to a congressional committee about the CIA's role in the overthrow of the government of Chile.

Mr. Carter was questioned at the news conference on whether he has been asked for some classified CIA documents that reportedly bear on the case.

Robert J. Lipshutz, the White House counsel, said last week the matter is before his office. However, Mr. Carter said the case "has not come to my attention, either officially or even indirectly . . ."

He said that the Justice Department will have "the exclusive right" to decide whether to proceed with any case against Mr. Helms, and that the release of any documents that affect national security "will be my own judgment, in this or other cases."